



Ruth Ann Terry, MPH, RN, Executive Officer

NURSING PRACTICE COMMITTEE MEETING

MEETING MINUTES

DATE: October 16, 2008

TIME: 9:00 AM – 10:00 AM

LOCATION: Doubletree Guest Suites
835 Airport Blvd.
Burlingame, CA 94010

COMMITTEE MEMBERS PRESENT:

Susanne J Phillips, RN, MSN, APRN-BC, FNP, Chair
Elizabeth O. Dietz, EdD, RN, CS-NP
Nancy Beecham RNC, BS, FADONA/LTC

OTHERS PRESENT:

Janette Wackerly, MBA, RN NEC Liaison
Ruth Ann Terry, MPH, RN, EO
Heidi Goodman, Assistant Executive Officer
Louisa Gomez Program Manager
Louise Bailey Med, RN SNEC
Miyo Minato, MN, RN, NEC
Badrieh Caraway, MS, RN, NEC
Katie Daugherty, MSN, RN,
La Francine Tate, Board President

Susanne Phillips, Chair opened the meeting at 9:00 am

- 11.0 Approve/Not Approve: Minutes of August 16, 2008
- 11.1 Approve/Not Approve: Revised Statement "Administration of Insulin in Schools by Unlicensed Personnel"

MSC: Nancy Beecham/Elizabeth Dietz move to approve

At its November 30, 2007, meeting, the Board approved the statement, "Administration of Insulin in Schools by Unlicensed Personnel," which was developed in response to the California Department of Education (CDE) legal advisory on rights of students with diabetes in K – 12

California public schools. The CDE's legal advisory resulted from the diabetes case settlement agreement from K.C. et al v. Jack O'Connell, et al.

CDE issued a questions and answers fact sheet on the case settlement in August 2007, which was revised in August 2008. The revised document continues to advise that unlicensed persons may administer insulin under specified conditions based on "well-established legal principles under federal law." The revision, in addition to making grammatical and formatting changes, includes the following substantive changes:

1. States that it is always preferable for a nurse to be available to administer insulin and that the local lead agency (LEA) should endeavor to have a nurse to provide the health-related services.
2. Requires that if no school nurse is available, reasonable efforts must be used to contract with appropriately licensed person. Additionally, the local education agency (LEA), in consultation with its own legal counsel, must thoroughly explore and evaluate availability of appropriately licensed persons before training and using a voluntary unlicensed person to administer insulin.
3. Expands who may supervise registered nurses (who are not school nurses) and licensed vocational nurses from school physician or school nurse to include "other appropriate person."
4. Clarifies that the effect of the CDE legal advisory is not affected by the current litigation filed by the American Nurses Association.
5. Affirms that the legal advisory does not obligate or require nurses to train or supervise voluntary persons to administer insulin, and defers to the locally-elected school board in the matter.

The proposed revised Board's statement is in response to the CDE's revision of the Q&A fact sheet. The revision consists of three (3) changes as follows:

1. Deletes "Note" stating that the legal advisory was unclear and that unlicensed individuals (category 8) should only be used as a last resort. The revised legal advisory addresses this issue.
2. Specifies that licensed vocational nurses practice under the direction of a registered nurse or physician. (Business and Professions Code 2859).
3. Clarifies that registered nurses may only train and supervise unlicensed individuals in the performance of nursing functions for which there is statutory authority, and that unlicensed persons cannot train or supervise other unlicensed person to perform nursing duties without statutory authority to do so.

Attached are the following documents:

1. Proposed revised Board statement with changes highlighted in yellow.
2. Revised CDE Q&A fact sheet with significant changes highlighted in yellow.

11.2 Approve/Not Approve: BRN Statement "Clinical Learning Experiences Nursing Students"

MSC: Nancy Beecham/Elizabeth Dietz move to approve.

Business and Professions Code § 2729 Services by Student Nurses, states that nursing services may be rendered by a student when these services are incidental to the course of study and the nursing student is enrolled in a board approved program. The Board of Registered Nursing is statutorily authorized to interpret, implement, and enforce the Nursing Practice Act and its regulations. The statement on "Clinical Learning Experiences Nursing Students" is proposed to clarify the authority for nursing practice provided by a student nurse.

It has come to the boards attention that their have been restrictions placed on nursing student's ability to perform clinical functions especially those involving medication administration in acute care hospitals. This information was obtained from California acute care hospitals and California registered nursing educational programs. There has been an effort to categorize nursing students enrolled in a board approved nursing program as unlicensed assistive personnel. There were questions about whether the nursing student could access a medication dispensing machine, Pysis, in the processes related to administering medication to assigned patients. Questions were also raised about supervision of nursing students during the administration of medications.

11.3 Information Only: Discussion of current trends involving the use of Methadone for pain

Discussion by committee members regarding pain management by NPs and gaining competencies in pain management in primary care practices. NP education programs addressing pain management and use of controlled drugs. Methadone may now be used as a primary medication for pain management. The article "Methadone Rises as Painkiller with Big Risks" raises many question about patient safety.

11.4 Open forum

Submitted by:

Janette E. Wackerly RN
Janette E. Wackerly, MBA

Approved by:

Susanne J. Phillips
Susanne J. Phillips, RN-Chair

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Board members who are not members of this committee may attend meetings as observers only and may not participate or vote. Action may be taken on any item listed on this agenda, including information only items.

The public will be provided an opportunity to comment on each agenda item at the time it is considered. However, the committee may limit the time allowed to each speaker.

CONTACT: Janette Wackerly, NEC (916) 574-7686
Nursing Practice Committee Liaison